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Provide for the better administration of the Fund under the control of the Trustees to aid Sea and Coast Fisheries of Ireland; and for other purposes in relation thereto. A.D. 1863.

WHEREAS certain moneys, which are in this Act referred to as the Sea and Coast Fisheries Fund, being the residue of a larger sum collected by public subscription for the relief of distress in Ireland in the year one thousand eight hundred and twenty-two, are now vested in trustees known as the Trustees to aid Sea and Coast Fisheries of Ireland, and are held by such trustees upon trust to apply the same for promoting and encouraging the Coast Fisheries in Ireland:

And whereas the said trustees are desirous that the said fund should be transferred to the Commissioners of Public Works in Ireland, and the said Commissioners have, with the consent of the Commissioners of Her Majesty's Treasury, agreed to such transfer, and it is expedient that the said transfer should be carried into effect:

And whereas under the Irish Reproductive Loan Fund Act, 1874, the Irish Reproductive Loan Fund is held by the Commissioners of Public Works in Ireland upon trust, to dispose of the same by way of loan for the purposes of the said Act, and is appropriated among the counties enumerated in the schedule to the said Act in the proportions specified in that schedule:

And whereas certain of the said counties in the said schedule abut upon the sea, and others do not:

And whereas the purposes of the said Irish Reproductive Loan Fund Act, 1874, include, in the case of the counties so abutting on the sea, certain purposes, in the said Act referred to as fishery purposes, and such fishery purposes, or some of them, are similar to

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A.D. 1883. those provided for by the trust of the said Sea and Coast Fisheries Fund;

And whereas the counties so abutting on the sea as aforesaid for which provision has been made by the said Reproductive Loan Fund Act, 1874, are herein-after referred to as the endowed 5 counties;

And whereas it is expedient that the Commissioners of Public Works in Ireland should have power to administer the said Sea and Coast Fisheries Fund, when transferred to them, by way of loan for such fishery purposes as are referred to in the Irish Reproductive 10 Loan Fund Act, 1874, in all or any of the counties of Ireland which abut upon the sea (in this Act referred to as "the maritime counties"), but that the said Commissioners should nevertheless in so administering the said fund have regard to the benefits conferred 15 on the endowed counties by the Irish Reproductive Loan Fund, and should, so far as is consistent with justice, to the extent of such benefits give a preference to the maritime counties which are not so endowed :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and 20 Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Short title.

1. This Act may be cited as the Sea and Coast Fisheries Fund (Ireland) Act, 1883.

Transfer of property to the Commissioners of Public Works in Ireland.

2. All such property, of every description, including all interests 25 and rights in, to, and out of property, and including obligations and things in action, as may form part of the Sea and Coast Fisheries Fund, or may be vested in or under the control of the trustees to aid Sea and Coast Fisheries of Ireland, or any of them as such trustees, or in or under the control of any other person what- 30 soever, as part or on account of the said fund, shall from and after the passing of this Act pass to and vest in the Commissioners of Public Works in Ireland (in this Act referred to as the Commissioners), subject to all debts and liabilities affecting the same.

The Commissioners may enforce in their own name, or in the 35 name of such trustees or any such other person as aforesaid, any remedies for the recovery of any portion of the said fund which if this Act had not passed might have been enforced by the said trustees, or any of them, or any person on their behalf.

All moneys, stocks, and securities standing in the books of the 40 Bank of Ireland in the name of the said trustees or any of them or any other person on account of the said fund shall be entered in or transferred to the name of the Commissioners, and the Governor

and Company of the Bank of Ireland are hereby authorised and required to make such entry or transfer. A.D. 1863.

3. The Commissioners shall hold the Sea and Coast Fisheries Fund hereby transferred to them upon trust to dispose thereof for the benefit of the maritime counties, care being taken so far as is practicable to do equal justice between the said counties; and for the purpose of so doing justice it shall be the duty of the Commissioners in applying the Sea and Coast Fisheries Fund to give a preference to the maritime counties which are not endowed over the endowed counties to the extent of such endowment; and further it shall be the duty of the Commissioners in applying the said Sea and Coast Fisheries Fund to the endowed counties to give a preference as between such counties to those counties which have a less endowment over those which have a greater endowment to the extent of the difference between such endowments. Application of funds by Commissioners.

4. There shall be incorporated with this Act:

(1.) The following provisions of the Irish Reproductive Loan Fund Act, 1874, that is to say:

- (a.) So much of section five as relates to the interest to be charged in respect of loans, and to the persons to whom and the security upon which loans for fishery purposes are to be made, and to the mode of testifying the recommendation of the Inspectors of Irish Fisheries relating to any such loan; and
- (b.) Section six, relating to the recovery of loans, including any costs and charges incurred in respect of such loans; and
- (c.) Section seven, relating to the investment of moneys in the hands of the Commissioners and not employed by them in loans; and
- (d.) Section eight, relating to a certificate stating the amount due to the Commissioners from any person in respect of a loan made to him, together with interest thereon; and
- (e.) Section nine, relating to the recovery of a loan and of all moneys due to the Commissioners in respect thereof in case the Commissioners are satisfied that the borrower is not carrying into effect the undertaking for which the loan was made; and
- (f.) Section ten, relating to the making, rescinding, annulling, and adding to rules by the Lord Lieutenant in Council, and to the validity of such rules, and to the judicial notice thereof, and the duty of the Commissioners and

Certain provisions of 37 & 38 Vict. c. 96, and 45 Vict. c. 16, incorporated.

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- of the inspectors of fisheries to conform thereto ;
and
(g.) Section twelve, relating to the rendering of accounts,
and to the submission of such accounts, or a summary
thereof, to Parliament ; and 5
(2.) The following provisions of the Irish Reproductive Loan
Fund Amendment Act, 1882 ; that is to say,
(a.) Section three, relating to the supply of boats or fishing
gear in lieu of money to persons obtaining loans ; and
(b.) Section four, relating to the recovery of moneys due to 10
the Commissioners on account of loans ; and
(c.) Section five, relating to a certificate stating the amount
due to the Commissioners from any person in respect of
a loan, together with interest thereon, and any costs
and charges in respect of such loan or the recovery 15
thereof ;

so far as the said sections are applicable to and not inconsistent
with any of the provisions of this Act ; and for the purposes of
such incorporation, the said sections shall be construed as if all
references therein to the said Acts, or either of them, were references 20
to this Act, and the loans therein referred to were loans under
this Act.

Transfer of
officers.

5. The secretary and clerk of the Trustees to aid Sea and Coast
Fisheries of Ireland, shall be transferred to the service of the Com-
missioners, and shall have the same relative rank, and hold their 25
offices by the same tenure, and upon the same terms and conditions,
and receive the same salaries, and be entitled to the same pensions
(if any), as if such transfer had not taken place ; and such salaries
and pensions (if any) shall be paid by the Commissioners out of the
growing produce of the Sea and Coast Fisheries Fund. 30

Provided that the said secretary and clerk may respectively be
employed by the Commissioners in performance of duties in respect
of the Irish Reproductive Loan Fund analogous to the duties per-
formed by them respectively in respect of the Sea and Coast
Fisheries Fund ; and in the event of their being so employed, the 35
Commissioners may, with the sanction of the Commissioners of
Her Majesty's Treasury, grant to them respectively such increase of
salary (if any) as they think fit :

The said secretary and clerk shall in the performance of their
duties be subject to the directions of the Commissioners. 40